

KOSTELANETZ & FINK, LLP

7 WORLD TRADE CENTER, 34TH FLOOR

NEW YORK, NEW YORK 10007

WASHINGTON, DC OFFICE
601 NEW JERSEY AVENUE, NW, SUITE 260
WASHINGTON, DC 20001

TEL: (202) 875-8000
FAX: (202) 844-3500

TEL: (212) 808-8100
FAX: (212) 808-8108
www.kflaw.com

October 21, 2021

BY ECF

Honorable John G. Koeltl
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

The pre-motion conference scheduled for 10/26/21 is adjourned sine die. The parties should work with the Court's Deputy Clerk, Mr. Fletcher, to set up an alternative date for the conference. so ordered. JGK/6/10/21

Re: *Kingdom of Belgium, Federal Public Service Finance v. Xiphias LLC Pension Plan, et al., No. 1:21-cv-06392; Kingdom of Belgium, Federal Public Service Finance v. Traden Investments Pension Plan, et al., No. 1:21-cv-06399; Kingdom of Belgium, Federal Public Service Finance v. Lion Advisory Inc. Pension Plan, et al., No. 1:21-cv-06402; Kingdom of Belgium, Federal Public Service Finance v. Delvian LLC Pension Plan, et al., No. 1:21-cv-06404; Kingdom of Belgium, Federal Public Service Finance v. Michelle Investments LLC Pension Plan, et al., No. 1:21-cv-06405; Kingdom of Belgium, Federal Public Service Finance v. Ganesha Industries Pension Plan, et al., No. 1:21-cv-06407; and Kingdom of Belgium, Federal Public Service Finance v. AOI Pension Plan, et al., No. 1:21-cv-06408*

Request to Adjourn Pre-Motion Conference on October 26, 2021

Dear Judge Koeltl:

Undersigned counsel, on behalf of the indicated parties in the above-referenced matters (the Parties), write in connection with the Court's Orders setting a pre-motion conference on Tuesday, October 26, 2021. The Parties respectfully request the Court adjourn the October 26 conference pending the anticipated submission of further requests for a pre-motion conference.

By Orders dated August 25, September 2, September 6, September 9, September 10, and September 11, 2021, the Parties are due to answer the complaints or file a request for a pre-motion conference on November 1, 2021. At this time, the Parties anticipate timely filing requests for a conference raising at least one ground for dismissal not identified in the letter filed by FGC Securities LLC (FGC) and Stephen Wheeler on October 20, 2021. The Parties respectfully propose a single pre-motion conference be held once these additional requests have been submitted.

The Parties aim to avoid any duplicative requests and are coordinating to that end. Going forward, we will also endeavor to coordinate with counsel for FGC and Stephen Wheeler as to matters affecting the schedule.

Honorable John G. Koeltl
October 21, 2021
Page 2

This is the Parties' first request for an adjournment of the October 26, 2021 conference and counsel for the plaintiff consents to this request.

We thank the Court for its consideration.

Respectfully submitted,

/s/ Sharon L. McCarthy
Sharon L. McCarthy
Kostelanetz & Fink LLP
*Counsel for John van Merkensteijn,
Xiphias LLC Pension Plan, and
Michelle Investments LLC Pension Plan*

/s/ Alan E. Schoenfeld
Alan E. Schoenfeld
Wilmer Cutler Pickering Hale and Dorr LLP
Counsel for Richard Markowitz

/s/ Marshall L. Miller
Marshall L. Miller
Kaplan Hecker & Fink LLP
*Counsel for Matthew Stein
Jerome L'Hote, Ganesha Industries
Pension Plan, and AOI Pension Plan*

/s/ Linda C. Imes
Linda C. Imes
Spears & Imes LLP
*Counsel for Alicia Colodner and
Delvian LLC Pension Plan*

/s/ Edward M. Spiro
Edward M. Spiro
Morvillo Abramowitz Grand Iason
& Anello P.C.
*Counsel for Adam LaRosa and
Traden Investments Pension Plan*

/s/ Robert H. Pees
Robert H. Pees
Akin Gump Strauss Hauer & Feld LLP
*Counsel for Luke McGee and Lion Advisory
Inc. Pension Plan*

Cc: All counsel of record via ECF.